UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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INTELLECTUAL PROPERTY LAW OFFICE
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EXAMINER
BASHORE, WILLIAM L

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 02/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _22 December 2004_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _3-16 and 18-22_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _3-16 and 18-22_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to communications: RCE and amendment, both filed 3/8/2002 to the

original application filed **9/25/1998**. IDS filed 9/25/1998.

2.   The rejection of claims 3-16, 18-22 under 35 U.S.C. 112, second paragraph, as being indefinite, has

been withdrawn as necessitated by amendment.

3.   Claims 3-16, 18-22 pending. Claims 3, 11, 21, are independent claims.

Continued Examination Under 37 CFR 1.114

4.   A request for continued examination under 37 CFR 1.114 was filed in this application after a decision

by the Board of Patent Appeals and Interferences, but before the filing of a Notice of Appeal to the Court of

Appeals for the Federal Circuit or the commencement of a civil action. Since this application is eligible for

continued examination under 37 CFR 1.114 and the fee set forth in 37 CFR 1.17(e) has been timely paid, the

appeal has been withdrawn pursuant to 37 CFR 1.114 and prosecution in this application has been reopened

pursuant to 37 CFR 1.114. Applicant's submission (Amendment After Final) filed on 12/27/2002 has been

entered.

Claim Rejections - 35 USC § 101

5.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new
> and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6.   **The claimed invention, as claimed in claims 3-10, is directed to non-statutory subject matter.**

   In regard to independent claim 3, the recited limitations of claim 3 can be interpreted as a series of mental and/or manual steps performed by a user (i.e. manipulation of physical documents, templates, on a blackboard, etc.), and is therefore directed to non-statutory subject matter. The examiner's suggestion of amending said claim to read "*A computer implemented user interface, comprising:*", will serve to overcome this rejection. The following rejections are based on a possible interpretation of the claims incorporating the examiner's suggestion.

   In regard to dependent claims 4-10, claims 4-10 are rejected for fully incorporating the deficiencies of their respective base claims.

Claim Rejections - 35 USC § 103

7.   **The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:**

   (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8.   **Claims 3, 5-6, 11, 16, 18-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Motoyama (hereinafter Motoyama), U.S. Patent No. 6,208,956 issued March 2001, in view of Fukumochi et al. (hereinafter Fukumochi), U.S. Patent No. 5,644,774 issued July 1997, and in view of Lakritz (hereinafter Lakritz), U.S. Patent No. 6,623,529 issued September 2003.**

   In regard to Independent claim 3, Motoyama teaches a HTML document page translated using a resource dictionary database (file) containing translated words and phrases for replacing variables (Motoyama column 4 lines 14-23, column 5 lines 41-46, column 6 lines 41-55; compare with claim 3 "*a plurality of resource file containing data for replacing said replacement variable,*").

Motoyama teaches dictionary resource files indicative of various languages for web page variable replacement (Motoyama column 6 lines 20-24; compare with claim 3 *"said replacement variable being selectively replaced by data from a selected one of said resource files, each of the plurality....selected one of said resource files."*, and *"predefined passage of text"*).

Motoyama does not specifically teach resource files including idiomatically-correct predefined text passages. However, Fukumochi teaches a translation system using a dictionary containing idioms of a language as applied to translation from one language to another (Fukumochi Abstract, column 4 lines 64-67 to column 5 lines 1-11; compare with claim 3 *"idiomatically-correct"*). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the dictionary idioms of Fukumochi to the resource files of Motoyama, providing Motoyama the advantage of idioms within its resource files, for accurately translating specialized phrases from one language (and culture) to another.

Motoyama teaches markup based translation of Web pages (Motoyama column 4 lines 14-23, also Figure 3). Motoyama does not specifically teach said markup page as a "template". However, Lakritz teaches a multilingual translation method whereby tag based templates are utilized for content translation (Lakritz Abstract, also column 26 lines 47-60, column 5 lines 40-45, column 6 lines 50-65; compare with claim 3 *"a markup-language encoded template"*). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Lakritz to Motoyama, providing Motoyama the benefit of templates which can easily support many languages and countries, as well as easy to add new languages, updating, etc. (see Lakritz column 7 lines 3-11).

In regard to dependent claim 5, Motoyama does not specifically teach a resource file as a "HTML" resource bundle. However, since Applicant defines said bundle as similar to a Java resource bundle, and Java resource bundles are a known Java class, this limitation would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Motoyama, because Motoyama's related dictionary data files (indicative of various languages) used for the translation of various portions of a HTML page suggests a

resource bundle environment, providing the advantage of files categorized by language (Motoyama column 6 lines 20-30; compare with claim 5).

In regard to dependent claim 6, claim 6 is rejected using the Examiner's argument and rationale as set forth in the rejection of claim 5, above.

In regard to independent claim 11, Motoyama teaches a HTML document translated using resource dictionary databases (files) containing various translated words and phrases for replacing variables (Motoyama column 4 lines 14-23, column 5 lines 41-46, column 6 lines 41-55; compare with claim 11 *"providing a plurality of data files....corresponding to said variable"*, and *"predefined passage of text"*).

Motoyama does not specifically teach resource files including idiomatically-correct predefined text passages. However, Fukumochi teaches a translation system using a dictionary containing idioms of a language as applied to translation from one language to another (Fukumochi Abstract, column 4 lines 64-67 to column 5 lines 1-11; compare with claim 11 *"an idiomatically-correct"*). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the dictionary idioms of Fukumochi to the resource files of Motoyama, providing Motoyama the advantage of idioms within its resource files, for accurately translating specialized phrases from one language to another.

Motoyama teaches selection of a dictionary file used to construct a page using translated words from said dictionary file (Motoyama column 6 lines 20-25; compare with claim 11 *"selecting one of said plurality of data files"*, and *"constructing an HTML encoded....replace said variable"*).

Motoyama teaches markup based translation of Web pages (Motoyama column 4 lines 14-23, also Figure 3). Motoyama does not specifically teach said markup page as a "template". However, Lakritz teaches a multilingual translation method whereby tag based templates (with variables) are utilized for content translation (Lakritz Abstract, also column 26 lines 47-60, column 5 lines 40-45, column 6 lines 50-65; compare with claim 11 *"providing an HTML template to a server, said HTML template including at least one variable"*). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Lakritz to Motoyama,

providing Motoyama the benefit of templates which can easily support many languages and countries, as well as easy to add new languages, updating, etc. (see Lakritz column 7 lines 3-11).

In regard to dependent claim 16, claim 16 is rejected using the Examiner's argument and rationale as set forth in the rejection of claim 11, above.

In regard to dependent claim 18, Motoyama teaches dictionary translation database files, which teaches key/value combinations for translation (Motoyama column 6 lines 20-25; compare with claim 18).

In regard to dependent claims 19, 20, the use of curly brackets, commas, and pound signs within various languages in known in the web publishing art, therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to apply said signs accordingly, so as to provide Motoyama the benefit of specific definitions (i.e. grouping sets, etc.) that these signs teach.

In regard to independent claim 21, Motoyama teaches a HTML document translated using a resource dictionary database (file) containing translated words and phrases for replacing variables (Motoyama column 4 lines 14-23, column 5 lines 41-46, column 6 lines 41-55; compare with claim 21 *"a markup-language encoded....having a replacement variable within"*, and *"predefined passage of text"*).

Motoyama teaches markup based translation of Web pages (Motoyama column 4 lines 14-23, also Figure 3). Motoyama does not specifically teach said markup page as a "template". However, Lakritz teaches a multilingual translation method whereby tag based templates are utilized for content translation (Lakritz Abstract, also column 26 lines 47-60, column 5 lines 40-45, column 6 lines 50-65; compare with claim 21 *"a markup-language encoded template"*). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Lakritz to Motoyama, providing Motoyama the benefit of templates which can easily support many languages and countries, as well as easy to add new languages, updating, etc. (see Lakritz column 7 lines 3-11).

Motoyama teaches a HTML document page translated using a resource dictionary database (file) containing translated words and phrases for replacing variables (Motoyama column 4 lines 14-23, column 5 lines 41-46, column 6 lines 41-55; compare with claim 21 *"a plurality of resource file containing data for replacing said replacement variable,"*).

Motoyama teaches dictionary resource files indicative of various languages for web page variable replacement (Motoyama column 6 lines 20-24; compare with claim 21 *"said replacement variable being selectively replaced by data from a selected one of said resource files, each of the plurality....selected one of said resource files."*).

Motoyama does not specifically teach resource files including idiomatically-correct predefined text passages. However, Fukumochi teaches a translation system using a dictionary containing idioms of a language as applied to translation from one language to another (Fukumochi Abstract, column 4 lines 64-67 to column 5 lines 1-11; compare with claim 21 *"idiomatically-correct"*). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the dictionary idioms of Fukumochi to the resource files of Motoyama, providing Motoyama the advantage of idioms within its resource files, for accurately translating specialized phrases from one language to another.

In regard to dependent claim 22, Motoyama does not specifically teach a resource file as a HTML "resource bundle". However, since Applicant defines said bundle as similar to a Java resource bundle, and Java resource bundles are a known Java class, this limitation would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Motoyama, because Motoyama's related dictionary data files (indicative of various languages) used for the translation of various portions of a HTML page suggests a resource bundle environment, providing the advantage of files categorized by language (Motoyama column 6 lines 20-30; compare with claim 22).

9.   Claims 4, 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Motoyama,

Fukumochi, and Lakritz, as presented in claim 3 above, and further in view of Levy (hereinafter Levy),

U.S. Patent No. 5,944,790 issued August 1999.

        In regard to dependent claim 4, Motoyama does not specifically teach a language code. However,

Levy teaches a country code, which is indicative of a particular language (Levy Abstract; compare with claim

4). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Levy to

Motoyama, because of Levy's taught advantage of country codes, providing Motoyama with a way to process a

particular language.

        In regard to dependent claim 7, Motoyama does not specifically teach server side processing.

However, Levy teaches a server accepting a web request along with a country code for processing of said web

page (Levy column 2 lines 32-46; compare with claim 7). It would have been obvious to one of ordinary skill in

the art at the time of the invention to apply Levy to Motoyama, because of Levy's taught advantage of server

side processing, providing Motoyama with a way to process a particular language freeing up client resources.

        In regard to dependent claim 8, claim 8 is rejected using the Examiner's argument and rationale as set

forth in the rejection of claim 7, above.

10.   Claims 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Motoyama,

Fukumochi, and Lakritz, as presented in claim 11 above, and further in view of Levy.

        In regard to dependent claim 14, Motoyama does not specifically teach a language code. However,

Levy teaches a country code, which is indicative of a particular language (Levy Abstract; compare with claim

14). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Levy to

Motoyama, because of Levy's taught advantage of country codes, providing Motoyama with a way to process a particular language.

Motoyama does not specifically teach server side processing. However, Levy teaches a server accepting a web request along with a country code for processing of said web page (Levy column 2 lines 32-46; compare with claim 14). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Levy to Motoyama, because of Levy's taught advantage of server side processing, providing Motoyama with a way to process a particular language freeing up client resources.

In regard to dependent claim 15, claim 15 is rejected using the Examiner's argument and rationale as set forth in the rejection of claim 14, above.

11.   Claims 9-10, 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Motoyama, Fukumochi, and Lakritz as presented in claims 3, 11 above, and further in view of Cliff Berg (hereinafter Berg), How do I Write an International Application?, Dr. Dobb's Journal, July 1997, downloaded web site <url: http://www.ddj.com/articles/1997/9707/97071/97071.htm?topic=java>, pp.1-5, including text equivalent pp. 6-9, (downloaded on 5/17/2001).

In regard to dependent claim 9, the use of Java code within HTML (i.e. JavaScript) is known in the web publishing art, therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to apply Java code to HTML for the advantage of dynamic applets, etc.

Motoyama does not specifically teach a JAR file containing a Java ResourceBundle. However, Berg teaches Java in association with a Hot Java browser, incorporating a JAR file and a Java ResourceBundle to be eventually run as an applet (Berg p.6 at numbers 5, 6, also p.7 at number 8; compare with claim 9). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Berg to Motoyama,

because of Berg's taught advantage of JAR files and resource bundles, providing Motoyama with a way to

utilize the advantages of said files for its dictionaries.

In regard to dependent claim 10, claim 10 reflects substantially similar subject matter as claimed in

claims 3 and 9, and is rejected along the same rationale.

In regard to dependent claim 12, 13, claims 12, 13 reflect substantially similar subject matter as

claimed in claims 9 and 10, and are rejected along the same rationale.

Response to Arguments

12.   Applicant's arguments with respect to the pending claims have been considered but are moot in view of

the new ground(s) of rejection.

Conclusion

13.   Any inquiry concerning this communication or earlier communications from the examiner should be

directed to William L. Bashore whose telephone number is (571) 272-4088. The examiner can normally be

reached on 11:30am - 8:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild

can be reached on (571) 272-4090. The fax phone number for the organization where this application or

proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application

Information Retrieval (PAIR) system. Status information for published applications may be obtained from

either Private PAIR or Public PAIR. Status information for unpublished applications is available through

Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-

9197 (toll-free).

WILLIAM L. BASHORE
PATENT EXAMINER
TECH CENTER 2100

February 21, 2005